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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,630	01/25/2002	Ronald M. Burch	200.1079CON5	3300

7590 09/28/2010
Davidson, Davidson & Kappel, LLC
14th Floor
485 Seventh Avenue
New York, NY 10018

EXAMINER

GROSS, CHRISTOPHER M

ART UNIT	PAPER NUMBER
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1639

MAIL DATE	DELIVERY MODE
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09/28/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

COMMUNICATION

The reply filed on 3/8/2010 is not fully responsive to the prior Office Action because a complete reply must include a listing of all claims readable on the elected species, including any claims subsequently added in accordance with MPEP § 809.02(a) (e.g., see 5/22/2008 Restriction, page 3 first full paragraph).

In particular, applicant elected arthritis for the species of pain in the response of 6/26/2008, however it is not clear how new claims 71 and 73 (as well as amend claim 63) - each drawn to pain without inflammation - reads on arthritis since arthritic pain arises from inflamed joints.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE(1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER M. GROSS whose telephone number is (571)272-4446. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on 571 272 0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Christopher M Gross
Examiner
Art Unit 1639

/Christopher M Gross/
Examiner, Art Unit 1639